

House File 2327

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1 3 AN ACT
1 4 RELATING TO CHILD ABUSE ASSESSMENT REQUIREMENTS INVOLVING
1 5 NOTIFICATION OF PARENTS, INTERVIEWS OF PERSONS ALLEGED TO
1 6 HAVE COMMITTED CHILD ABUSE, AND TRAINING OF CHILD PROTECTION
1 7 WORKERS.
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1 9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 11 Section 1. Section 232.71B, subsection 2, Code Supplement
1 12 2003, is amended to read as follows:
1 13 2. NOTIFICATION OF PARENTS. The department, within five
1 14 working days of commencing the assessment, shall provide
1 15 written notification of the assessment to the child's parents.
1 16 If a parent is alleged to have committed the child abuse, the
1 17 notice shall inform the parents regarding the complaint or
1 18 allegation made regarding the parent. The parents shall be
1 19 informed in a manner that protects the confidentiality rights
1 20 of an individual who reported the child abuse or provided
1 21 information as part of the assessment process. However, if
1 22 the department shows the court to the court's satisfaction
1 23 that notification is likely to endanger the child or other
1 24 persons, the court shall orally direct the department to
1 25 withhold notification. Within one working day of issuing an
1 26 oral directive, the court shall issue a written order
1 27 restraining the notification. The department shall not reveal
1 28 in the written notification to the parents or otherwise the
1 29 identity of the reporter of child abuse to a subject of a
1 30 child abuse report listed in section 235A.15, subsection 2,
1 31 paragraph "a".
1 32 Sec. 2. Section 232.71B, subsection 4, paragraph e, Code
1 33 Supplement 2003, is amended to read as follows:
1 34 e. An interview of the person alleged to have committed
1 35 the child abuse, if the person's identity and location are
2 1 known. The offer of an interview shall be made to the person
2 2 prior to any consideration or determination being made that
2 3 the person committed the alleged abuse. The person shall be
2 4 informed of the complaint or allegation made regarding the
2 5 person. The person shall be informed in a manner that
2 6 protects the confidentiality rights of the individual who
2 7 reported the child abuse or provided information as part of
2 8 the assessment process. The purpose of the interview shall be
2 9 to provide the person with the opportunity to explain or rebut
2 10 the allegations of the child abuse report or other allegations
2 11 made during the assessment. The court may waive the
2 12 requirement to offer the interview only for good cause. The
2 13 person offered an interview, or the person's attorney on the
2 14 person's behalf, may decline the offer of an interview of the
2 15 person.
2 16 Sec. 3. Section 232.76, Code 2003, is amended to read as
2 17 follows:
2 18 232.76 PUBLICITY, ~~AND~~ EDUCATIONAL, AND TRAINING PROGRAMS.
2 19 1. The department, within the limits of available funds,
2 20 shall conduct a continuing publicity and educational program
2 21 for the personnel of the department, persons required to
2 22 report, and any other appropriate persons to encourage the
2 23 fullest possible degree of reporting of suspected cases of
2 24 child abuse. Educational programs shall include but not be
2 25 limited to the diagnosis and cause of child abuse, the
2 26 responsibilities, obligations, duties and powers of persons
2 27 and agencies under this chapter and the procedures of the
2 28 department and the juvenile court with respect to suspected
2 29 cases of child abuse and disposition of actual cases.
2 30 2. a. For the purposes of this subsection, in addition to
2 31 the definition in section 232.68, a "child protection worker"
2 32 also includes any employee of the department who provides
2 33 services to or otherwise works directly with children and
2 34 families for whom child abuse has been alleged.
2 35 b. The training of a child protection worker shall include
3 1 but is not limited to the worker's legal duties to protect the
3 2 constitutional and statutory rights of a child and the child's
3 3 family members throughout the child or family members' period
3 4 of involvement with the department beginning with the child
3 5 abuse report and ending with the department's closure of the

3 6 case. The curriculum used for the training shall specifically
3 7 include instruction on the fourth amendment to the
3 8 Constitution of the United States and parents' legal rights.

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CHRISTOPHER C. RANTS
Speaker of the House

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JEFFREY M. LAMBERTI
President of the Senate

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3 20 I hereby certify that this bill originated in the House and
3 21 is known as House File 2327, Eightieth General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

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3 27 Approved _____, 2004

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3 31 THOMAS J. VILSACK

3 32 Governor